

**BEFORE
THE FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C.**

In the Matter of)	
)	
Implementation of the Subscriber Carrier)	
Selection Changes Provisions of the)	CC Docket No. 94-129
Telecommunications Act of 1996.)	
)	
Policies and Rules Concerning)	
Unauthorized Changes of Consumers')	
Long Distance Carriers.)	

**COMMENTS OF THE
NATIONAL ASSOCIATION OF STATE UTILITY CONSUMER ADVOCATES**

In the Third Order on Reconsideration and Second Further Notice of Proposed Rulemaking, FCC 03-42 (rel. March 17, 2003) ("Second Further Notice"), the Federal Communications Commission ("Commission") asked for comment on a discrete set of improvements to the current carrier selection process.¹ The National Association of State Utility Consumer Advocates ("NASUCA")² supports these changes to the process.

The Commission seeks "comment on the need for additional minimum requirements for third party verification calls in order to maximize their accuracy and

¹ As contained in the rules adopted in this proceeding.

² NASUCA is an association of 41 consumer advocates in 40 states and the District of Columbia. NASUCA's members are designated by the laws of their respective states to represent the interests of utility consumers before state and federal regulators and in the courts.

efficiency for consumers, carriers, and the Commission.” Second Further Notice, ¶ 111.

The specific requirements proposed for third party verification calls are:

- Third party verifiers must state the date during the call;
- Third party verifiers must state that the verification will be terminated if the consumer has questions;
- Third party verifiers must state that the carrier change is final at the conclusion of the call;
- Third party verifiers must state that the call involves changing service;
- Third party verifiers must separately verify each piece of information that is required by the rules; and
- Third party verifiers must explain the scope of calling -- intraLATA and/or interLATA (which includes international) -- encompassed by the presubscription.

Id. at ¶¶ 111-113. Each of these requirements adds to the assurance of consumers, carriers and regulators that the subscriber change was accomplished in accordance with the Commission’s rules. The Commission should adopt each of these requirements.³

It will be interesting to read the comments of the carriers who can be expected to object to these proposals. For example, why would a carrier object to having the date of the call be included in the record of the call? Or why would a carrier object to being required to tell the consumer that the call is not for retaining existing service, but is a change in service? NASUCA expects to respond to such objections.

Respectfully submitted,

³ With regard to the requirement that third party verifiers state that the verification will be terminated if the consumer has questions, the verifiers should also be able to tell the customer that verification can recommence after the questions are answered.

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